

Vending Program Frequently Asked Questions:

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1. What is a sidewalk vendor?

The Sidewalk Vending Program issues Revocable Street Privileges for selling food or merchandise from Sidewalks in the Public Right of Way. If you are seeking a different type of Vendor's license such as one involving a business on private property, please contact the State of Ohio's Income Tax Division.

A sidewalk vendor is a person who is permitted to sell food and/or merchandise at a particular, fixed location in the public right-of-way. The term 'vendor' applies to someone selling from a fixed, predetermined location either Downtown or in the City's additional vending districts (e.g. Short Vine in Corryville).^{*} Anyone wishing to sell in a designated vending district must apply to be a vendor.

A 'vendor' is different from a 'peddler'. A 'peddler' is defined by the Cincinnati Municipal Code section 839 as *"any person who goes from city-to-city, of from place-to-place, or from door-to-door, selling or offering to sell or barter, or carrying for sale or barter, or exposing therefore, any goods, wares, merchandise, food, confectionary, drink, or other commodity, carried by hand, from portable stands or tables, or by manually propelled vehicles, or by motor-or animal-drawn vehicles."* Peddler activity is not allowed in the Downtown vending district or in any outlying vending districts. For more information about peddling in the City of Cincinnati, contact the City Treasurer at (513) 352-3224.

*Fountain Square Management Group LLC, a private/ non-profit organization, manages vending on Fountain Square. Please direct inquiries to the following website: <http://www.myfountainsquare.com/booking>. This handout also provides general information about Fountain Square vending: [http://www.myfountainsquare.com/files/uploaded/For Booth Sponsors and Vendors.pdf](http://www.myfountainsquare.com/files/uploaded/For_Booth_Sponsors_and_Vendors.pdf)

*Vending operations within the physical boundaries of major downtown events (Taste of Cincinnati, Macy's Music Festival, etc.) are generally managed by event promoters.

Inquiries regarding vending within the event boundaries should be directed to the event promoters.

2. What is the Sidewalk Vending Program and how does it work?

The purpose of the program is to allow the City to manage vending activity in certain Cincinnati vending districts and to ensure that it takes place in a safe, orderly, and lawful manner. The program is run by the City Manager's designee and the Vending Program Coordinator, who typically oversees the day-to-day operations. The designee is responsible for approving the applications and the identification badges that permit vendors to set up specific locations within the official vending districts. Permission to set up on the sidewalk is established through a Revocable Street Privilege which may be suspended or terminated at any time. The Vending Coordinator maintains a map of all vending locations. The Revocable Street Privileges for these locations are issued either by annual lottery or by individual request throughout the year.

For program regulations, please refer to Cincinnati Municipal Code Chapter 839 (Peddlers and Itinerant Vendors), Chapter 723-16 ("Sidewalk Vending"), and Chapter 718-3 ("Revocable Street Privileges").

3. Why would I want to register as a sidewalk vendor?

If you want to sell food or merchandise on the sidewalks of City vending districts, you are required to have a Revocable Street Privilege. Operating without a Revocable Street Privilege may result in the confiscation of merchandise/equipment and possibly fines or other penalties (See Cincinnati Municipal Code Sections 718-3 and 723-16)

4. How do I apply to be a sidewalk vendor?

1. For fastest replies, please email the Vending Coordinator at: vendingcoordinator@cincinnati-oh.gov. The Vending Program Coordinator will respond via email within (3) business days.
2. Next, the Coordinator will schedule a meeting with you to review the pre-application requirements and determine whether a suitable location is available. Meetings are usually scheduled on Tuesdays or Thursdays between 10:00 AM and 3:30 PM.
3. If a suitable location is available, the Coordinator will prepare a Revocable Street Privilege agreement for the vending location. The payment and a non-refundable, \$25.00 application fee are due at that time (and payable to the City Treasurer). Please note that the fees apply to each individual location to be occupied by the applicant.
4. Once payment is made, the Treasurer issues a receipt for each location obtained by the Vendor. This document is required in order to obtain the necessary Revocable Street Privilege. Each vending location must have a separate receipt associated with it. Copies of the receipts and the Revocable Street Privileges must be kept at their respective vending locations during vending hours.
5. At that time, the Vendor and all of the Vendor's employees will receive identification (ID) badges, which they are required to wear in a clearly visible manner. In order to create

the ID badges, the City requires that the Licensee provide two passport-size photos to each employee.

5. What are the costs associated with sidewalk vending?

Prior to completing a sidewalk vending application, each applicant must obtain a minimum of \$1,000,000.00 of liability insurance listing the City of Cincinnati as an additional insured. Vendors desiring to sell food must have a current food service license issued in the State of Ohio. In addition to this, each individual food cart must be inspected. Likewise, food vendors may only apply for as many locations as they have carts.

Payment rates for each type of vending location are indicated in the fee schedule below.

Fee Type	Fee Amount
Application Fee*	\$25 per application
Identification Badge Fee*	\$5 per badge
Downtown Vending District Permit (Cross-Reference CMC § 723-16(a)(1))	\$400.00
Court Street Vending District Permit (Cross-Reference CMC § 723-16(a)(1))	\$400.00
Liberty/Dalton Vending District Permit (Cross-Reference CMC § 723-16(a)(1))	\$400.00
Short Vine Vending District Permit (Cross-Reference CMC § 723-16(a)(1))	\$150.00
Temporary/Special Event Permit (Cross-Reference CMC § 723-16(a)(2))	\$100.00
*Application and badge fees are non-refundable.	

Note: Fee amounts are shown in annual terms. All non-annual terms are considered temporary and are treated as such. Locations can be obtained quarterly, in three month increments, at the temporary/special event rate.

Payments must be made to the Treasurer's Office on the second floor of the City Hall building. Forms of payment accepted include cash, check, and money order.

6. How long can a sidewalk vendor occupy a particular location?

Locations obtained in the annual vending lottery may be occupied for an initial three-year period. Following the initial three year period, locations are eligible to be renewed for two additional two-year periods. Locations obtained outside of the lottery are not eligible to be renewed. All permit terms end in March, regardless of the start date. In March, if a location is not eligible to be renewed, that location automatically goes back to into the Lottery.

7. What types of sidewalk vending locations are available?

There are 2 types of vending locations allowed: food locations and merchandise locations. A food permit requires a Board of Health permit issued in the State of Ohio. Please note that the category of 'merchandise' includes any non-food items *and* any pre-packaged snacks and beverages, such as bottled water and bagged peanuts. Vendors and peddlers are not permitted

to sell counterfeit merchandise that is protected by trademark or copyright laws. This merchandise includes (but is not limited to) counterfeit CDs, DVDs, handbags, and eye apparel.

8. How are sidewalk vending locations assigned?

1. By lottery – in March of each year
2. First-come, first serve (non-lottery)

The Vending Lottery is held as a random drawing the third Thursday in March of each year. The Vending Lottery takes place at City Hall which is located at 801 Plum Street, Cincinnati, Ohio 45202. A non-refundable, \$25.00 application fee must be paid in order to enter the Lottery. Applicants draw numbers that decide the order in which locations are selected. Once the order is decided, the applicants choose from the allowed locations. If any locations remain available after all applicants have completed the 1st “round” of selection, the entire process is repeated, and so on. The Lottery ends either once there are no more locations available or once no more locations are requested.

If any locations remain available after the Lottery, it is possible to apply for them throughout the year on a first-come, first-served basis, however, all permit terms end in March. Please note that the \$25.00 application fee applies for each individual location.